

Fair tonight. Cooler
Wednesday night
or Thursday.

The Washington Times

LAST EDITION

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PRICE ONE CENT.

ORCHARD LIES, DEFENSE HOPES TO ESTABLISH

Informer First Witness
in Disproof of His
Confession.

Purpose to Show Miners'
Union Did Not En-
courage Murder.

BOISE, June 25.—Testimony for the defense began today in the Haywood case.

The form it will take was fully outlined in yesterday's opening argument by Attorney Clarence Darrow, of Chicago, chief counsel for the accused officials of the Western Federation of Miners.

Harry Orchard, the mainstay of the prosecution, was put on the stand first. Darrow asserts that rigorous cross-examination will show Orchard's confession to be a tissue of falsehood.

By thus completely breaking down the prosecution's case—if this proves possible—Darrow hopes to make Orchard virtually his strongest witness. After Orchard is disposed of, the defense's own witnesses will be called. They will seek to show that the Miners' Federation was a labor organization, pure and simple, and to disprove the charge that either the Federation or any of its officials had any hand, directly or indirectly, in the assassination of former Gov. Frank Steunenberg.

Incidentally, efforts will be made to fix the crime on Orchard alone. It is expected the witness' stories will occupy seven or eight days.

Haywood's Champions Arrive.

Boise swarms with men accused by Harry Orchard of complicity in the crimes he declares the Western Federation of Miners employed him to commit.

Braving the danger of arrest for the offenses of which Orchard says they are guilty, these men are coming at their own expense—many of them from long distances—to tell the court that Orchard lies and to testify for W. D. Haywood, the Federation leader, on trial for complicity in the assassination of former Gov. Frank Steunenberg, of Idaho.

Witnesses Don't Need Urging.

"When Attorney Darrow said he would prove Orchard the monumental liar of the world's history, we didn't fully appreciate what was coming," said former Lieut. Gov. David Coates, of Colorado, commenting on today's gathering of the Haywood defense's witnesses. "But look at them. Here's 'Billy' Alkman, all the way from Nevada, leaving prospects he thinks would make him a millionaire, to declare Orchard lied when he claimed Alkman accompanied him into the Vindicator mine at the time he fired on the case man who discovered him there. And there are plenty of others, as you already know."

The defense's witnesses are more numerous than Darrow or Richardson anticipated, and they declare most of them came unsolicited.

Incarnate Villain, Gompers' Epithet To Fit Orchard

Samuel Gompers, president of American Federation of Labor, in an editorial in the July Federationist, issued today, has this to say about the Haywood trial:

"Taking Harry Orchard's description of himself, in his evidence against William D. Haywood, he writes himself down the most consummate scoundrel and brute the world has known. Murderer, bigamist, burglar, incendiary, fraud, liar, thief are a few of the titles of crime which he cheerfully testifies he committed. It cannot be imagined that upon the testimony of any incarnate villain so debased, any honest American jury will convict a man, who, despite his opinion, has to be borne a spotless personal reputation."

BREWERS ALL READY FOR THEIR COMBINE

ST. LOUIS, June 25.—Representatives of the nine independent breweries of this city which will consolidate into an \$8,000,000 merger have adjourned, confident that the contract papers would be signed. The various brewery owners will be managers of their respective plants.

THE WEATHER REPORT.

The western area of high pressure is central this morning over the Dakotas, and appears to be slowly moving eastward. The Atlantic high is giving away somewhat on its western margin, but the two high pressure belts, between the two high pressure belts, and generally high temperatures. It is cooler in the Missouri valley.

Local thunder storms are probable to night and Wednesday in the lake region, the Ohio valley, and the east Gulf States. In the eastern districts the high temperatures now prevailing will continue tonight and tomorrow and probably be followed Thursday by showers and slightly cooler.

Steamers departing today for European ports will have fresh southwesterly winds and fair weather to the Grand Banks.

TEMPERATURE.
9 a. m. 77
12 noon 82
1 p. m. 87

SUN TABLE.
Sun sets today 7:30
Sun rises tomorrow 4:52

TIDE TABLE.
High water today 7:47 p. m.
Low water today 2:03 p. m.
High water tomorrow 8:41 p. m.
Low water tomorrow 2:04 a. m. 2:57 p. m.

HARPERS PERRY, W. Va. June 25.—Potomac and Shenandoah, clear.

ISSUE ARISES BETWEEN KNOX AND PRESIDENT

Pennsylvania Senator Declares for States' Rights in Yale Speech, First Dissenting Voice.

At last there is an issue among the Republican candidates for the Presidential nomination. Heretofore they have been playing the same string—of devotion to Roosevelt ideals and policies. They have been claiming to think the same things and plan the same accomplishments, and it remained for Philander Chase Knox to make the issue.

The issue which the Pennsylvanian has raised is one which involves the ancient question of State rights. He raised it in his Yale speech, when he went squarely on record as opposing much of the general tendency of the Roosevelt program of Federal control of interstate commerce. He declared for the preservation of the powers of the States and their fullest utilization. He would dignify the State and make it all a larger place, whereas the President

LEADER OUSTED FROM HEAD OF FRENCH STRIKE

Bloodshed Ceases, but
2,000,000 People Are
"Passively Resisting."

WINE GROWERS DEMAND
IMPRISONMENT OF RICH
OFFENDERS IN PARIS.

NARBONNE, France, June 25.—Marcel Albert, who organized the great revolt of wine growers against the government, has been practically deposed from control of the movement he started.

Albert has been ordered by the Argonne committee of safety to go to Montpellier tomorrow and surrender himself to the authorities. This, it is believed, will eliminate him as the dominating factor in the revolt.

Albert's elimination means the movement has decided to continue the fight with passive resistance to the government. The plan outlined by Premier Clemenceau to Albert in their interview on Sunday, to call off the revolt, was rejected.

Cessation of Bloodshed.

There is really more danger in passive resistance than in the violent effort, because passive resistance, which has died out as quickly as it kindled. Further bloodshed seems unlikely, for the present at least, but the decision of the committee leaves 2,000,000 people determined to get along without local government, indefinitely, thus crippling the government's receipts from the whole district.

All indications show that the government does not realize the seriousness of the situation, and is treating the movement as it dealt with the farcical May Day strikes in Paris. The ministry evidently believes any situation of this kind will settle itself as long as soldiers maintain order.

The truth is that the population is starving. In a few weeks, at the most, the wine growers will be desperate from hunger. What may happen then can be only conjectured.

There is no time, rather than by considering the tremendous difficulties of governing one nation with forty-six parliaments.

In this connection it is extremely interesting that when the Pennsylvania State convention, early the present month, was about to endorse Senator Knox for the Presidency, the draft of the resolutions was submitted in advance to the Senator. That draft contained two lines or thereabouts which described Knox as a statesman of the Roosevelt type. The Senator took his pencil and cut out those lines.

The parts of the resolutions which gave assurance of his devotion to the general policies of the Roosevelt administration was left standing and was adopted.

Not Committed to Rooseveltism.

Why Senator Knox should have made that alteration in his State's resolution was the subject of much wonderment at the time, even by his friends. Since his speech at Yale they understand. He did not want to be too closely committed to Rooseveltism, because he was ready to make an issue and to let the people decide it.

The Knox movement has been more aggressive, more militant, and more independent than any other Presidential boom in the field. He has not sought close connection with the Presidential platform that it has ideas and convictions of its own worth worthy of consideration on their merits and as a declaration of its independence.

\$66.90 to City of Mexico and Return.

Via Pennsylvania Railroad, account meeting American Society of Civil Engineers. Tickets sold at above rate, returning until September 15, inclusive. For time tables, stop-over privileges, and full information consult nearest Ticket Agent.—Adv.

is a devoted centralizationist, who believes the Federal Government should increase its powers at the expense of the States, on the ground that authority which is not centralized cannot be really effective.

Most Significant Issue.

Plainly enough, this issue is going to be a most significant one in the next Presidential campaign. It is an interesting commentary, which a good many public men have made today, that Senator Knox and Mr. Bryan are much more nearly in accord than are the President and Mr. Knox.

Mr. Bryan, radical leader of Democracy, finds at his back, on this question, Senator Knox, corporation lawyer; Mr. Roosevelt, radical leader of Republicanism, has as his chief supporter Elihu Root, corporation lawyer. It is an alignment that has not often been effected.

Senator Knox's Yale speech plainly was aimed at the child labor measure of Senator Beveridge. He made plain that he could not support such a bill on constitutional grounds. Yet he supported the most inspection and pure food bills, on the grounds that in those cases the Government was acting, not under its interstate commerce powers, but by virtue of its police powers. In the matter of child labor he would assume that the General Government's police powers cannot be stretched far enough to prohibit interstate traffic in child-made goods.

President for Centralization.

The President has lately stood as the militant exponent of the idea of greatest centralization of power. He is Hamilton as against Jefferson. Secretary Root was his first spokesman on this issue and Secretary Taft has been his latest. Little has been heard from the country to indicate on which side of the issue it will line up, but such returns as have been received unquestionably indicate that in the country at large there is a tendency to reaction in favor of larger use and fuller protection of the powers of the States. Especially has this feeling been manifested in the States that have been leaders in the policy of vigorous State regulation of corporations. New York has enacted the public utility bill, a vastly more radical and effective measure than Federal authority has ever attempted. Pennsylvania, machine ridden as it is, has put upon its statute books a remarkable list of effective corporation laws. Indiana, Ohio, Wisconsin, Iowa, Nebraska, have been accomplishing results that have gone far to rekindle in the public mind a confidence that the States, after all, are capable of useful work.

States Utilizing Their Powers.

Massachusetts and Texas, opposites in almost every other characteristic, are widely referred to as the two Commonwealths which have made greatest progress toward development of an ideal code of corporation statutes. All over the country, in fact, with the revival of the new grant of sentiment in the last few years, the States have been busily justifying their existence by the utilization of their powers, and with that experience they are more and more disposed to the feeling that there is no occasion for haste about turning over the entire governmental machinery to Washington.

On the other hand advocates of more Federalization insist that at best the State laws are necessarily ineffective because commerce nowadays so largely is interstate. They say that the activities of the State Legislatures are but a reflection of the Federal Government's new attitude toward these questions, and that but for the revival of active effort along these lines at Washington, nothing would have been accomplished by the States.

Position of Senator Knox.

Senator Knox represents the school of more literal construction of the Constitution. He assumes that it means what it says, and that it ought to be accepted. He gives point to his argument by reading from Supreme Court decisions, rather than by considering the tremendous difficulties of governing one nation with forty-six parliaments.

In this connection it is extremely interesting that when the Pennsylvania State convention, early the present month, was about to endorse Senator Knox for the Presidency, the draft of the resolutions was submitted in advance to the Senator. That draft contained two lines or thereabouts which described Knox as a statesman of the Roosevelt type. The Senator took his pencil and cut out those lines.

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Obstructions on Penna. Avenue Due to Sure Engineering Work, Commissioner Morrow Explains



OBSTRUCTIONS ON PENNSYLVANIA AVENUE.
1—Avenue Crossing at Thirteenth Street. 2—Avenue Crossing at Fourteenth Street. 3—Corner of Fourteenth Street and the Avenue.

GAS 80 CENTS, VOLUNTARY RATE TO BOSTONIANS

BOSTON, June 25.—The Boston Consolidated Gas Company, in its announcement of a reduction in the price of gas says:

"On July 1, 1907, the Boston Consolidated Gas Company will voluntarily reduce the maximum price of gas 5 cents per thousand cubic feet, making the maximum price 80 cents per thousand. This reduction will be the fourth that the company has made during the past two years, each reduction being 5 cents per thousand, making a total reduction of 20 cents per thousand, which will mean a saving to the gas consumers of Boston, during the year commencing July 1, 1907, of about \$800,000 as compared with the price before the local gas companies were consolidated two years ago."

"This reduction of 20 cents, in the maximum price of gas in Boston, is all the more remarkable when one considers the fact that, in the time mentioned, the prices of all materials and labor have shown a marked advance."

BARS LYNCHING FOR MURDER OF BOY BY THUGS

NEW ORLEANS, La., June 25.—Prompt and effective measures taken by Governor Blanchard and the city authorities have practically done away with all likelihood of a lynching in the case of the kidnaper and murderer of little Walter Lamana.

The city at present is quiet, but there appears to be a strong undercurrent of feeling which requires the most careful handling to prevent an outbreak. It is expected that the prisoners will be held here for several days. It is feared if they were taken to Hahnville, the parish seat of St. Charles parish, a determined effort would be made to lynch them in the present state of the public temper.

A good excuse for the postponement of the arraignment is found in the fact that a number of the alleged principals have as yet not been captured.

TRANSIT MEN NEED SUNLIGHT

Many Complaints of
Condition of the Big
Thoroughfare.

"Why don't the authorities order the Capital Traction Company to carry on its work of elevating its street car tracks on Pennsylvania avenue at night?" "Why aren't three shifts of laborers put to work on the tracks, thus decreasing by two-thirds the time that the avenue must remain in this frightful condition?"

These and many similar questions have been fired at the engineering office of the District government since the work of tearing up the Avenue began some weeks ago. The complaints are continuing to be made as the unsightly condition of the Avenue "gets on one's nerves."

Commissioner Morrow's Answer.

In answer to these walls from the inconvenient public Engineer Commissioner Morrow said today: "The city is to be congratulated at the dispatch with which the work on

MARTYR FOR HER FATHER

Miss Loving Must Tell
of Treatment by
Estes.

Ordeal Necessary for
Protection of Her
Parent.

HOUSTON, Va., June 25.—Miss Elizabeth Loving is on the verge of collapse.

Yet she must take the witness stand—perhaps today—as a witness for her father, former Judge W. G. Loving, on trial charged with the murder of Theodore I. Estes, at Oak Ridge, April 22.

The defense hoped for a time to spare the girl the ordeal of such a public appearance. So strongly was the case built up by the prosecution yesterday, however, that Judge Loving's lawyers are agreed that she must figure as a witness in support of her father's story that he killed Estes because the latter drugged and maltreated the young woman.

Miss Loving Breaks Down.

Miss Loving seemed calm and self-possessed when she appeared in court, but the prosecution's steady attack, the use of the terms "capital punishment," "death," and "hanging," and the realization that the crisis was actually at hand, broke down her courage.

She wept all day in the court room and spent last night in a condition bordering on hysteria. Physicians think, nevertheless, that she will be able to nerve herself for the ordeal of the witness stand.

Judge Loving himself was the first witness in his own behalf today. He took the stand just before court adjourned yesterday, but he had even started on his testimony before the lawyers became involved in a dispute concerning the admissibility of evidence, and an adjournment was taken until today to permit arguments and the submission of legal authorities.

Judge Resumes the Stand.

The point at issue is the admission of a story told by Loving's brother-in-law, Harry Snead, to the former, as a result of which, the defense asserts, Loving killed Estes.

The prosecution occupied but a few hours in presenting its case, which consisted merely in a showing of the actual circumstances of the killing. It will seek to break down the "unwritten law" defense on rebuttal.

Judge Loving resumed the stand when court opened today. Attorneys for the prosecution and defense did not permit him to begin his testimony at once, however, but insisted that he first state over the admissibility of his story that a conversation with his brother-in-law, Harry Snead, so enraged him that he killed Estes.

Even if this testimony is not admitted, Snead will undoubtedly be the next witness, and it will be from his lips that the jury will hear how he told Loving that Estes had wronged the judge's daughter.

Debate on Evidence.

Aubrey Storde, of the defense, argued that the counsel for the prosecution was entirely wrong in its reasoning of yesterday, to the effect that a man found his wife guilty and killed either her or the offender, the crime could not be reduced from murder to manslaughter unless the husband actually saw the guilty act. He cited several cases to show that, though the law was originally interpreted in that manner, late decisions held that the "cooling time," or the time between the act and the killing, is enough to reduce the crime.

Mr. Harmon, for the Commonwealth, said that mere words were not sufficient provocation to reduce the crime from murder to manslaughter. At this point he was interrupted by Mr. Lee, of the defense, who asked: "Do you contend, Mr. Harmon, that words, hurled in language, if you please, are never a provocation?"

"That is my position, sir," answered Mr. Harmon.

Words as Cause of Anger.

"Do you mean to tell me," continued Mr. Lee, "that a man charged with assault and battery could not mitigate the charge by showing that the man he had assaulted used insulting language to him?"

Mr. Harmon did not reply directly to this question, saying he would discuss it later. Continuing his argument, he turned to the question of "cooling time," and contended that that question should not have entered into the discussion, because mere words were not sufficient to afford cause for excitement, and that if a person never became excited he could not "cool off."

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(Continued on Second Page.)